

Coopered. shall direct it to be coopered, or other casks substituted therefor, at the expense of the owner or seller, and if any cask containing domestic liquors submitted to be gauged or inspected, shall be found to have been fraudulently made, the owner or seller thereof, or his agent so submitting such cask, shall forfeit the cask to the use of the state.

Forfeit for fraud.

Gauging instruments **SEC. 4. And be it enacted,** That each of the gaugers aforesaid, shall procure and use a correct set of gauging instruments and Dycus's hydrometer, which he shall keep in good order; and as soon as he has ascertained the capacity of any cask, and the strength of the domestic distilled liquors contained therein, he shall distinctly mark with marking irons the capacity on the bilge, near the bung, and prefixing the initial letter of his surname, he shall likewise mark the number of gallons of proof spirit contained in said cask on the head thereof, and for this purpose the standard of proof spirit is hereby fixed at eighty-five degrees of the aforesaid hydrometer, and all marks that shall be made by either of the gaugers aforesaid, determining the quantity of proof domestic distilled liquors contained in any cask, shall be defaced thereon so soon as the same shall have been emptied, under a penalty of five dollars to the use of the informer, to be paid by the owner or person having possession of said cask or casks, and whenever it may be required by the seller or his agent, the gauger shall give a certificate, specifying the true quantity of proof domestic distilled liquor contained in each cask so gauged and inspected at any time by him.

Mark of capacity; of contents; standard of proof spirit; mark of contents defaced under penalty; certificate of quantity.

Standard of capacity. **SEC. 5. And be it enacted,** That said gaugers in order to ascertain the capacity of casks, shall conform to the present Baltimore standard of wine measure, and if any cask or vessel gauged and marked by either of said gaugers, shall in its capacity be found lacking or exceeding one or more gallons in any barrel, or two or more gallons in any cask of a larger size, the gauger who may have so erroneously marked the same, shall forfeit and pay two dollars for each and every gallon so lacking or exceeding the number of gallons marked by him on such cask, and it shall be the duty of said gauger, whenever the government of the United States shall determine to employ a different hydrometer to procure and use hydrometers of the description which shall then be used by the gaugers of said government.

Penalty for erroneously marking.

Conform to the hydrometer of the United States.

Compensation to gauger. **SEC. 6. And be it enacted,** That from and after the passage of this act, the several gaugers who shall be appointed in the city of Baltimore, or for any other place in said state, shall be entitled to claim and receive from the seller or exporter of any liquors in casks, the following compensation for his services, that is to say, for gauging casks containing domestic distilled liquors, if not exceeding forty gallons, six cents and one-fourth